

1 **MARTIN D. SINGER (BAR NO. 78166)**
2 **SHANNON K. COOLEY (BAR NO. 244536)**
3 **LAVELY & SINGER**
4 **PROFESSIONAL CORPORATION**
5 2049 Century Park East, Suite 2400
6 Los Angeles, California 90067-2906
7 (310) 556-3501

5 Attorneys for Plaintiff, Counterclaim-Defendant and Third-Party Defendants,
ARNOLD FASHION L.P., TOM ARNOLD and ROSEANNE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

9 ARNOLD FASHION, L.P., a California)
10 limited partnership,)
11 Plaintiff,)
12 v.)
13 CELEB SALES, INC., A New York)
14 corporation, STANLEY WARNER, an)
15 individual, 77 WORLD DESIGN and DOES 1
through 50, Inclusive,)
16 Defendants.)
17 CELEB SALES, INC., a New York)
18 corporation; and STANLEY WARNER, an)
19 individual,)
20 Counter-Claimant and)
21 Third-Party Plaintiffs,)
22 v.)
23 ARNOLD FASHION, L.P., a California)
24 limited partnership,)
25 Counterclaim-Defendant,)
26 and)
27 T&R FASHION, INC., a California)
28 corporation; ROSEANNE, an individual; and)
TOM ARNOLD, an individual,)
Third-Party Defendants.)

1 Pursuant to Federal Rules of Civil Procedure Rule 69(a) and California Code of Civil
2 Procedure Section 683.140, the Post-Judgment Order Regarding Attorneys' Fees and Costs entered
3 on March 25, 1998, by the Honorable Harry L. Hupp, which specifies that 1) Plaintiff and
4 Counterclaim-Defendant Arnold Fashion, L.P. and Third-Party Defendant Tom Arnold recover from
5 Defendant Celeb Sales, Inc. costs of suit incurred by their attorneys, Lavelly & Singer Professional
6 Corporation, in the amount of \$34,069.97; 2) Plaintiff Arnold Fashion, L.P. and Third-Party Defend
7 Tom Arnold recover from Defendant Celeb Sales, Inc. and from Defendant Stanley Warner, jointly
8 severally, its attorney fees, as provided for in paragraph 17(c) of the Sublicense Agreements and
9 paragraph 11 of the Guaranty, in the amount of \$443,774.68; and 3) Third-Party Defendant Roseann
10 recover from Celeb Sales, Inc. and Stanley Warner her attorney fees in the amount of \$112,318.85, i
11 hereby renewed.

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MARCH 5, 2008

Date

Linda Chou

Deputy Clerk

CLERK, U.S. DISTRICT COURT

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1 MARTIN D. SINGER -- BAR NO. 78166
2 LAVELY & SINGER
3 PROFESSIONAL CORPORATION
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(310) 556-3501

6 Attorneys for Plaintiff and Counterclaim-Defendant
7 ARNOLD FASHION, L.P. and Third-Party Defendants
8 T&R FASHION, INC., and TOM ARNOLD

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10 KELLEY DRYE & WARREN
11 515 South Flower Street, Suite 1100
12 Los Angeles, California 90071
(213) 689-1300

13 Attorneys for Third-Party Defendant
14 ROSEANNE

15
16 UNITED STATES DISTRICT COURT
17 CENTRAL DISTRICT OF CALIFORNIA

18 ARNOLD FASHION, L.P. a
19 California limited partnership.

20 Plaintiff,

21 v.

22 CELES SALES, INC., a New York
23 corporation, 12 WORLD DESIGNS,
24 INC., a New York Corporation,
25 STANLEY WARNER, an individual,
and DOES 1 through 50,
Inclusive.

26 Defendants.

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1 CELEB SALES, INC., a New York
2 corporation; and STANLEY
3 WARNER, an individual,

4 Counter-Claimants,

5 vs.

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7 ARNOLD FASHION, L.P., a
8 California limited partnership;
9 T&R FASHION, INC., a California
Corporation; ROSEANNE ARNOLD,
an individual; and TOM ARNOLD,
an individual,

10 Counterclaim-Defendants.

11

12 This action came on for trial on February 27, 1996, before
13 the Court and a jury, the Honorable Harry L. Hupp, District Court
14 Judge, presiding. Judgment was entered by the Court on May 30,
15 1997, in favor of Plaintiff and Counterclaim-Defendant, Arnold
16 Fashion, L.P., and Third-Party Defendants Roseanne, Tom Arnold,
17 and T&R Fashion, Inc.

18 Pursuant to the Judgment, the amount of costs to be taxed
19 against Defendants and the amount of attorney fees to be awarded
20 Plaintiff and Counterclaim Defendants as prevailing parties
herein were left open for resolution by the Court. On August 25,
22 1997, the Court issued an Order on Plaintiff's and Counterclaim-
23 Defendants' motions for attorney fees, providing that attorney
24 fees for the following categories of time were not recoverable:

25 1. All time spent setting aside the dismissal of the
lawsuit for lack of prosecution;

27 2. All paralegal time for both Lavelly & Singer
28 Professional Corporation and Kelley, Drye & Warren;

1 3. All time which could be isolated as spent on the issue
2 of alter ego liability;

3 4. Two-thirds of the time spent on the litigation over
4 taking the deposition of Third-Party Defendant Roseanne.

5 The Court ruled that all other attorney time claimed was
6 reasonably necessary in this litigation and that the hourly rates
7 claimed, not being opposed by Defendants/Counterclaimants, should
8 be awarded. The Court ordered the parties to cooperate in
9 preparing a stipulation reflecting the final amount of attorney
10 fees permitted by the Court under the above guidelines. The
11 Court further ordered that both Defendants be jointly and
12 severally liable for the attorney fees of Plaintiff and of
13 Counterclaim Defendants.

14 Regarding the issue of costs, Lavelly & Singer Professional
15 Corporation has submitted an Amended Bill of Costs reflecting
16 cost items allowed by Courtroom Operations Manager Richard F.
17 Janisch. Kelley Drye & Warren, attorneys for Third-Party
18 Defendant Roseanne, have withdrawn their Bill of Costs.

19 Accordingly,

20

21 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED:**

22 1. That Plaintiff and Counterclaim-Defendant Arnold
23 Fashion, L.P. and Third-Party Defendant Tom Arnold
24 recover from Defendant Celeb Sales, Inc. costs of suit
25 incurred by their attorneys, Lavelly & Singer
26 Professional Corporation, in the amount of \$34,069.97,
27 pursuant to the Amended Bill of Costs entered on or
28 about February 19, 1998;

1 2. That Plaintiff Arnold Fashion, L.P. and Third-Party
2 Defendant Tom Arnold recover from Defendant Celeb
3 Sales, Inc. and from Defendant Stanley Warner, who are
4 jointly and severally liable, its attorney fees, as
5 provided for in paragraph 17(c) of the Sublicense
6 Agreements and paragraph 11 of the Guaranty, the sum of
7 \$443,774.68, determined pursuant to this Court's August
8 25, 1997, Order and pursuant to the Stipulation re:
9 Attorney Fees entered by the Court on or about February
10 10, 1998; and

11

12 3. That Third-Party Defendant Roseanne recover from Celeb
13 Sales, Inc. and Stanley Warner her attorney fees in the
14 amount of \$112,318.65, pursuant to the Court's August
15 25, 1997, Order and pursuant to the Stipulation re:
16 Attorney Fees entered by the Court on February 10,
17 1998;

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19 IT IS SO ORDERED.

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22 Dated: March 20, 1998

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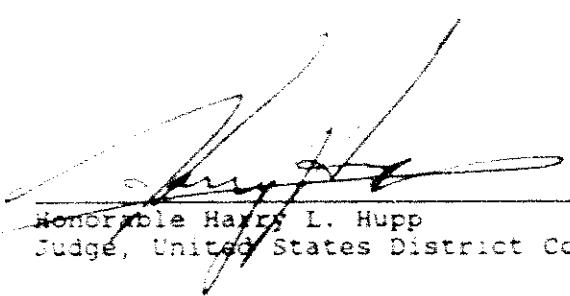
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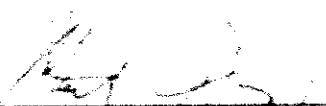

Honorable Harry L. Hupp
Judge, United States District Court

1 Presented by:

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9 By: 

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11 Attorneys for Plaintiff and
Counterclaim-Defendant
12 ARNOLD FASHION, L.P. and Third-Party
Defendants T&R FASHION, INC., and TOM ARNOLD

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